

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:
Thomas Glenn Davidson aka Thomas G. Davidson
Debtor(s)

Case No. 12-32765-KRH
Chapter 13

OBJECTION TO CONFIRMATION OF DEBTOR'S PROPOSED CHAPTER 13 PLAN

COMES NOW, The Bank of New York Mellon fka The Bank of New York, as Trustee, for the Benefit of the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-33CB Mortgage Pass-Through Certificates, Series 2005-33CB (the "Movant"), by and through counsel, Thomas Bradford Dail and BWW Law Group, LLC, and hereby files this Objection to Confirmation of Debtor's Proposed Chapter 13 Plan (the "Plan Objection"), and in support thereof, the Movant respectfully represents as follows:

1. The Movant is a mortgage lender.
2. On or about May 3, 2012, Thomas Glenn Davidson aka Thomas G. Davidson (the "Debtor") filed a voluntary petition in this Court under Chapter 13 of the United States Bankruptcy Code (the "Bankruptcy Filing").
3. Carl M. Bates is the Trustee of the Debtor's Chapter 13 estate.
4. At the time of the Bankruptcy Filing, the Debtor owned a parcel of real property known as 2119 East Broad Street, Richmond, VA 23223-7027 (the "Property").
5. The Property is encumbered by a deed of trust dated June 1, 2005 (the "Deed of Trust"), securing payment of a promissory note in the original principal amount of \$181,444.00 to the Movant (the "Note").
6. Effective on or about November 1, 2008, the terms of the Note and Deed of Trust were modified in accordance with the terms of a loan modification agreement (the "Loan Modification Agreement"). Pursuant to the terms of the Loan Modification Agreement, the principal balance due on the Note was modified to \$189,067.96 and the interest rate and monthly principal and interest payments were adjusted.
7. At the time of the Bankruptcy Filing, the amount of the Movant's claim secured by its lien of the Deed of Trust encumbering the Property was approximately \$242,727.04, and the Debtor owed pre-petition arrears to the Movant in the approximate amount of \$55,879.36.
8. On or about May 3, 2012, the Debtor filed a Chapter 13 Plan, which Plan does not provide for payment of the full amount of the pre-petition arrearage owed to the Movant as set forth in paragraph seven (7) hereinabove.

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(804) 282-0463
Attorney for the Movant

9. The hearing on confirmation of the Debtor's proposed Chapter 13 Plan is scheduled to take place on July 18, 2012, 9:10 am, Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia.

WHEREFORE, the Movant prays that this Court:

1. Enter an order DENYING confirmation of the Debtor's Chapter 13 Plan; and
2. Require that the Debtor file an amended/modified Chapter 13 Plan within an imposed period of time to properly reflect the correct arrearage amount owed to the Movant as set forth in paragraph seven (7) hereinabove; and
3. Grant such other and further relief as the Court deems necessary.

Dated: July 10, 2012

Respectfully Submitted,
BWW Law Group, LLC

/s/ Thomas Bradford Dail
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of July, 2012, the following person(s) were served with a copy of the foregoing Objection to Confirmation of Debtor's Proposed Chapter 13 Plan electronically via the CM/ECF system or by first class mail postage prepaid:

BWW Law Group, LLC
8100 Three Chopt Road, Suite 240
Richmond, VA 23229

Yvonne Cochran, Attorney at Law
4509 W. Broad Street
Richmond, VA 23230

Carl M. Bates, Trustee
P.O. Box 1819
Richmond, VA 23218

Thomas Glenn Davidson aka Thomas G. Davidson
2119 East Broad Street
Richmond, VA 23223-7027

Thomas Glenn Davidson aka Thomas G. Davidson
6918 Velvet Antler Drive
Midlothian, VA 23112

/s/ Thomas Bradford Dail
Thomas Bradford Dail

PLANOBJECTION